## 2124-S2 AMS EDU S2920.1

## <u>2SHB 2124</u> - S COMM AMD By Committee on Education

1 Strike everything after the enacting clause and insert the 2 following:

- 3 "NEW SECTION. Sec. 1. A new section is added to chapter 28A.655 4 RCW to read as follows:
  - (1) The high school assessment system required by RCW 28A.655.060 shall include but need not be limited to the Washington assessment of student learning, an opportunity for a student to retake the content areas in which the student was not successful, and one or more alternative means to demonstrate achievement of the state academic standards, developed by the superintendent of public instruction.
  - (2) Subject to the conditions in this section, successful completion of the high school Washington assessment of student learning in reading, writing, mathematics, and science shall lead to a scholar's certificate or a certificate of achievement. A certificate shall be obtained by most students at about the age of sixteen, and is evidence that the student has successfully met the state standard in the content areas included in the certificate. The scholar's certificate or the certificate of achievement is required for graduation from a public high school but is not the only requirement for graduation.
  - (3) Beginning with the graduating class of 2008, successful completion of the reading, writing, and mathematics content areas of the high school Washington assessment of student learning is required for graduation from a public high school in the state of Washington and, until the provisions of subsection (4) of this section take effect, shall lead to a scholar's certificate or a certificate of achievement.
- 27 (4) Beginning with the graduating class of 2010, successful 28 completion of the science content area of the high school Washington 29 assessment of student learning is required for graduation from a public 30 high school in the state of Washington.

(5) Beginning with the graduating class of 2010, successful completion of the reading, writing, mathematics, and science content areas of the high school Washington assessment of student learning shall lead to a scholar's certificate or a certificate of achievement.

- (6) The state board of education may not require the acquisition of the scholar's certificate or the certificate of achievement for students in home-based instruction under chapter 28A.200 RCW or for students enrolled in private schools under chapter 28A.195 RCW.
- (7) Beginning with the graduating class of 2008, if a student takes the high school Washington assessment of student learning and successfully meets the state academic standards in all content areas required for the scholar's certificate, then the student shall receive a scholar's certificate; if a student takes the high school assessment but is not successful in one or more content areas required for the scholar's certificate, the student may retake the assessment in that content area one time at no cost to the student and may choose one or more of the following options:
- (a) To retake the assessment in that content area, if the student is enrolled in a public school;
- (b) To retake the assessment in that content area if the student is enrolled in a high school completion program. The superintendent of public instruction and the state board for community and technical colleges shall jointly identify means by which students in these programs can be assessed; or
- (c) To use an alternative means developed and approved by the superintendent of public instruction to demonstrate achievement of the standards for that content area if the student has already retaken the assessment in that content area.
- (8) Students who successfully meet the state standards on the retake of a content area of the high school Washington assessment of student learning shall receive a scholar's certificate. Students that successfully meet the state standards through an alternative means shall receive a certificate of achievement.
- (9) A student may retain and use the highest result from each successfully completed content area of the high school assessment.
  - (10) Opportunities for retaking the high school assessment shall

begin no later than the spring 2007 administration of the assessment, subject to available funding.

- (11) By November 30, 2004, the superintendent of public instruction shall report to the governor, the state board of education, and the house of representatives and senate education committees on the feasibility of returning the results of the Washington assessment of student learning, including individual student performance information, to schools, teachers, and parents in the same school year in which the assessment is administered. In addition, subject to available funding, beginning no later than 2006, the results of the math content area of the spring administration of the high school level of the Washington assessment of student learning shall be available to students, parents, and schools before June 1st of each year.
- (12) Beginning no later than September 1, 2006, subject to available funding, alternative means to demonstrate achievement of state academic standards shall be in place in each school district.
- (13) Beginning no later than September 1, 2006, each school district shall prepare a high school graduation plan for each student in grades eight through twelve who is not successful in one or more content areas of the Washington assessment of student learning for the student's grade level. The plan shall include, but need not be limited to, the courses, competencies, and other steps needed by the student to meet state academic standards and stay on track for graduation. Progress on the plan shall be reported at least once a year to the student and the student's parents or guardian.

NEW SECTION. Sec. 2. (1) Before the results of the 2004 high school assessment of student learning are reported to school districts, the academic achievement and accountability commission shall review and adjust, if necessary, the student performance scores needed to meet the high school standards and obtain a scholar's certificate or a certificate of achievement as provided in section 1 of this act. The commission shall include in its review consideration of the use of the standard error of measurement into the decision regarding the award of the certificates. By November 30, 2004, the commission shall report its decision to the governor, the superintendent of public instruction, and the house of representatives and senate education committees. To

assist in its deliberations, the commission shall seek advice from a 1 2 committee that includes parents, practicing classroom teachers and principals, administrators, staff, employers, and other interested 3 4 parties.

(2) The office of the superintendent of public instruction shall 5 develop alternative assessment options, procedures, and criteria, to 6 7 help determine whether students who were not successful in one or more of the content areas of the high school assessment can demonstrate that 8 they meet state standards through another objectively evaluated means. 10 its deliberations, the office shall consult with parents, administrators, practicing classroom teachers including teachers in 11 12 career and technical education, practicing principals, appropriate 13 agencies, professional organizations, assessment experts, employers, 14 and other interested parties.

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- (a) By July 1, 2004, the office shall report its recommendations 15 16 for alternative assessments, including possible options, to the 17 governor and the house of representatives and senate education committees. 18
  - (b) By July 1, 2005, subject to available funding, the alternative assessment options shall be available for voluntary use by school districts.
    - (3) The superintendent of public instruction in cooperation with educators, professional organizations, and community members, shall develop model classroom-based assessments that may be used by school districts.
  - (4) By January 1, 2004, subject to available funding, the office of the superintendent of public instruction shall report recommendations to the governor, the state board of education, and the house of representatives and senate education committees addressing the appropriate application of the scholar's certificate certificate of achievement requirements to special education students and limited English proficiency students, and recommendations on the best practices that may be used with students who need additional assistance to meet the certificate requirements.
- Sec. 3. RCW 28A.230.090 and 1997 c 222 s 2 are each amended to 35 36 read as follows:

1 (1) The state board of education shall establish high school 2 graduation requirements or equivalencies for students.

- (a) Any course in Washington state history and government used to fulfill high school graduation requirements is encouraged to include information on the culture, history, and government of the American Indian peoples who were the first inhabitants of the state.
- (b) The scholar's certificate or the certificate of achievement requirements under section 1 of this act are required for graduation from a public high school but are not the only requirements for graduation.
- (2) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.
- (3) Pursuant to any requirement for instruction in languages other than English established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in American sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.
- (4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:
- (a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or
- (b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school courses under the circumstances in subsection (4) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit. Subsection (4) of this section shall also apply to students enrolled in high school on April 11, 1990, who took the courses before attending high school.

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- 7 (6) At the college or university level, five quarter or three 8 semester hours equals one high school credit.
- 9 **Sec. 4.** RCW 28A.655.030 and 2002 c 37 s 1 are each amended to read 10 as follows:

The powers and duties of the academic achievement and accountability commission shall include, but are not limited to the following:

- (1) For purposes of statewide accountability, the commission shall:
- (a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics by subject and grade level as the commission deems appropriate to improve student learning, once assessments in these subjects are required statewide. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, The goals may be established for all amended. economically disadvantaged students, limited English proficient students with disabilities, and students students, from disproportionately academically underachieving racial and backgrounds. The commission may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. ((The goals shall be in addition to any goals adopted in RCW 28A.655.050. The commission may also revise any goal adopted in RCW 28A.655.050.)) The commission shall adopt the goals by rule. However, before each goal is implemented, the commission shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b) Identify the scores students must achieve in order to meet the standard on the Washington assessment of student learning and, for high school students, obtain a scholar's certificate or a certificate of achievement. The commission shall also determine student scores that identify levels of student performance below and beyond the standard. The commission shall consider the incorporation of the standard error of measurement into the decision regarding the award of the scholar's certificate and the certificate of achievement. The commission shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose. If the commission makes any adjustment of the student performance standards, then the commission shall present the recommended changes to the education committees of the house of representatives and the senate by January 31st of the school year in which the changes will take place in order to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature;

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- (c) Adopt objective, systematic criteria to identify successful schools and school districts and recommend to the superintendent of public instruction schools and districts to be recognized for two types of accomplishments, student achievement and improvements in student achievement. Recognition for improvements in student achievement shall include consideration of one or more of the following accomplishments:
- (i) An increase in the percent of students meeting standards. The level of achievement required for recognition may be based on the achievement goals established by the ((legislature under RCW 28A.655.050 and the)) commission under (a) of this subsection;
- (ii) Positive progress on an improvement index that measures improvement in all levels of the assessment; and
  - (iii) Improvements despite challenges such as high levels of mobility, poverty, English as a second language learners, and large numbers of students in special populations as measured by either the percent of students meeting the standard, or the improvement index.
- When determining the baseline year or years for recognizing individual schools, the commission may use the assessment results from

the initial years the assessments were administered, if doing so with individual schools would be appropriate;

- (d) Adopt objective, systematic criteria to identify schools and school districts in need of assistance and those in which significant numbers of students persistently fail to meet state standards. In its deliberations, the commission shall consider the use of all statewide mandated criterion-referenced and norm-referenced standardized tests;
- (e) Identify schools and school districts in which state intervention measures will be needed and a range of appropriate intervention strategies, beginning no earlier than June 30, 2001, and after the legislature has authorized a set of intervention strategies. Beginning no earlier than June 30, 2001, and after the legislature has authorized a set of intervention strategies, at the request of the commission, the superintendent shall intervene in the school or school district and take corrective actions. This chapter does not provide additional authority for the commission or the superintendent of public instruction to intervene in a school or school district;
- (f) Identify performance incentive systems that have improved or have the potential to improve student achievement;
- (g) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system;
- (h) Annually report by December 1st to the legislature, the governor, the superintendent of public instruction, and the state board of education on the progress, findings, and recommendations of the commission. The report may include recommendations of actions to help improve student achievement;
- (i) By December 1, 2000, and by December 1st annually thereafter, report to the education committees of the house of representatives and the senate on the progress that has been made in achieving the reading goal under RCW 28A.655.050 and any additional goals adopted by the commission;
- (j) Coordinate its activities with the state board of education and the office of the superintendent of public instruction;

1 (k) Seek advice from the public and all interested educational 2 organizations in the conduct of its work; and

- (1) Establish advisory committees, which may include persons who are not members of the commission;
- (2) Holding meetings and public hearings, which may include regional meetings and hearings;
- (3) Hiring necessary staff and determining the staff's duties and compensation. However, the office of the superintendent of public instruction shall provide staff support to the commission until the commission has hired its own staff, and shall provide most of the technical assistance and logistical support needed by the commission thereafter. The office of the superintendent of public instruction shall be the fiscal agent for the commission. The commission may direct the office of the superintendent of public instruction to enter into subcontracts, within the commission's resources, with school districts, teachers, higher education faculty, state agencies, business organizations, and other individuals and organizations to assist the commission in its deliberations; and
- 19 (4) Receiving per diem and travel allowances as permitted under RCW 20 43.03.050 and 43.03.060.
- **Sec. 5.** RCW 28A.655.070 and 1999 c 388 s 501 are each amended to 22 read as follows:
  - (1) The superintendent of public instruction shall identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the academic achievement and accountability commission.
  - (2) The superintendent of public instruction shall periodically revise the essential academic learning requirements, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements.

(3) In consultation with the academic achievement and accountability commission, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. The academic assessment system shall include:

- (a) A variety of assessment methods, including criterion-referenced and performance-based measures:
- (b) An opportunity for a student to retake content areas of the Washington assessment of student learning if the student does not successfully meet the state academic standards on the first attempt; and
- (c) One or more alternative means to demonstrate achievement of the state standards for the high school assessment system.
- (4) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning requirements at the appropriate periods in the student's educational development. In order to assist parents and teachers in their efforts to provide educational support to individual students, including students seeking a scholar's certificate or a certificate of achievement, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts information on classroom-based and other assessments that may provide additional achievement information for individual students.
- (5) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.
- (6) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.
- 35 (7) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not

biased toward persons with different learning styles, racial or ethnic
backgrounds, or on the basis of gender.

- (8) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.
- (9) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

## **Sec. 6.** RCW 28A.195.010 and 1993 c 336 s 1101 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. Minimum requirements shall be as follows:

- (1) The minimum school year for instructional purposes shall consist of no less than one hundred eighty school days or the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.150.220.
- (2) The school day shall be the same as that required in RCW 28A.150.030 and 28A.150.220, except that the percentages of total program hour offerings as prescribed in RCW 28A.150.220 for basic skills, work skills, and optional subjects and activities shall not apply to private schools or private sectarian schools.

1 (3) All classroom teachers shall hold appropriate Washington state 2 certification except as follows:

- (a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.
- (b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.
- (4) An approved private school may operate an extension program for parents, guardians, or persons having legal custody of a child to teach children in their custody. The extension program shall require at a minimum that:
- (a) The parent, guardian, or custodian be under the supervision of an employee of the approved private school who is certified under chapter 28A.410 RCW;
- (b) The planning by the certified person and the parent, guardian, or person having legal custody include objectives consistent with this subsection and subsections (1), (2), (5), (6), and (7) of this section;
- (c) The certified person spend a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the approved private school extension program;
- (d) Each student's progress be evaluated by the certified person; and
- (e) The certified employee shall not supervise more than thirty students enrolled in the approved private school's extension program.
- (5) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.
- (6) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements. ((However, the state board shall not require private school students to meet the student learning goals, obtain a certificate of mastery to graduate from high school, to master the essential academic learning requirements, or to be assessed pursuant to RCW 28A.630.885. However, private schools may choose, on a voluntary

basis, to have their students master these essential academic learning requirements, take these assessments, and obtain certificates of mastery.)) A residential dwelling of the parent, guardian, or custodian shall be deemed to be an adequate physical facility when a parent, guardian, or person having legal custody is instructing his or her child under subsection (4) of this section.

- (7) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.
- (8) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.
- (9) The state board shall not require private school students to meet the student learning goals, obtain a scholar's certificate or a certificate of achievement to graduate from high school, master the essential academic learning requirements, or be assessed pursuant to RCW 28A.655.060. However, private schools may choose, on a voluntary basis, to have their students master these essential academic learning requirements, take the assessments, and obtain a scholar's certificate or a certificate of achievement.
- All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection (7) above provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.
- **Sec. 7.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to read 30 as follows:
- 31 (1) Each parent whose child is receiving home-based instruction 32 under RCW 28A.225.010(4) shall have the duty to:
- $((\frac{1}{1}))$  (a) File annually a signed declaration of intent that he or she is planning to cause his or her child to receive home-based instruction. The statement shall include the name and age of the child, shall specify whether a certificated person will be supervising

the instruction, and shall be written in a format prescribed by the superintendent of public instruction. Each parent shall file the statement by September 15 of the school year or within two weeks of the beginning of any public school quarter, trimester, or semester with the superintendent of the public school district within which the parent resides or the district that accepts the transfer, and the student shall be deemed a transfer student of the nonresident district. Parents may apply for transfer under RCW 28A.225.220;

((\(\frac{(2)}{2}\))) (b) Ensure that test scores or annual academic progress assessments and immunization records, together with any other records that are kept relating to the instructional and educational activities provided, are forwarded to any other public or private school to which the child transfers. At the time of a transfer to a public school, the superintendent of the local school district in which the child enrolls may require a standardized achievement test to be administered and shall have the authority to determine the appropriate grade and course level placement of the child after consultation with parents and review of the child's records; and

((\(\frac{(\frac{3}{})}\)) (c) Ensure that a standardized achievement test approved by the state board of education is administered annually to the child by a qualified individual or that an annual assessment of the student's academic progress is written by a certificated person who is currently working in the field of education. ((\(\text{The state board of education shall not require these children to meet the student learning goals, master the essential academic learning requirements, to take the assessments, or to obtain a certificate of mastery pursuant to RCW \(\text{28A.630.885.}\)) The standardized test administered or the annual academic progress assessment written shall be made a part of the child's permanent records. If, as a result of the annual test or assessment, it is determined that the child is not making reasonable progress consistent with his or her age or stage of development, the parent shall make a good faith effort to remedy any deficiency.

(2) The state board of education shall not require these children to meet the student learning goals, master the essential academic learning requirements, take the assessments, or obtain a scholar's certificate or a certificate of achievement pursuant to RCW 28A.655.060.

- (3) Failure of a parent to comply with the duties in this section shall be deemed a failure of such parent's child to attend school without valid justification under RCW 28A.225.020. Parents who do comply with the duties set forth in this section shall be presumed to be providing home-based instruction as set forth in RCW 28A.225.010(4).
- NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.
- NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

## <u>2SHB 2124</u> - S COMM AMD By Committee on Education

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On page 1, line 1 of the title, after "requirements;" strike the remainder of the title and insert "amending RCW 28A.230.090, 28A.655.030, 28A.655.070, 28A.195.010, and 28A.200.010; adding a new section to chapter 28A.655 RCW; creating a new section; and declaring an emergency."

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